**Claim No. ARB 032/2025**

**IN THE DUBAI INTERNATIONAL FINANCIAL CENTRE COURTS**

**IN THE COURT OF FIRST INSTANCE**

BETWEEN

**OSWIN**

Claimant/Respondent

and

**(1) OTILA**
**(2) ONDRAY**

Defendants/Applicants

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**ORDER WITH REASONS OF H.E. JUSTICE SIR JEREMY COOKE**

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**UPON** the Second Defendant's Appeal Notice dated 7 October 2025, seeking permission to appeal the 16 September 2025 Order (the "PTA Application")

**AND UPON** the Order of H.E. Justice Sir Jeremy Cooke dated 10 November 2025, ordering that the Second Defendant should pay the costs of the Claimant of the PTA Application on the indemnity basis to be assessed by the Court and to be paid within 14 days of the assessment

**AND UPON** the Claimant serving a statement of costs for summary assessment on 17 November 2025

**AND UPON** the Second Defendant failing to file any written submissions on the quantum of such costs by 24 November 2025 as ordered by the Court

**IT IS HEREBY ORDERED THAT:**

1. The costs of the Claimant are assessed in the sum of AED 80,000.

2. The Second Defendant shall pay the sum of AED 80,000 to the Claimant within 14 days of this Order.

Issued by:
**Hayley Norton**
Assistant Registrar
Date of issue: 16 December 2025
At: 2pm

**SCHEDULE OF REASONS**

1. Costs have been awarded on the indemnity basis so that issues of proportionality do not arise and the only question is whether the fees have reasonably been incurred, with the burden on the Second Defendant to establish that the costs are not so incurred. The Second Defendant made no submissions.

2. The 14-page PTA Application and the 21-page skeleton argument submitted by the Second Defendant with a large number of exhibits required extensive time which accounts for the large number of hours spent by 4 practitioners.

3. The hourly rates charged by the four practitioners are reasonable.

4. It might still be said that 27 hours in total is the equivalent of 3-man days of work which is substantial but the majority of the time has been spent by the Associate at the lowest hourly rate.

5. Taking into account all the above factors and reducing the time for an element of duplication of work with a team of four, I conclude that of the total claimed fees of AED 85,417.50, a not unreasonable figure is AED 80,000.